

Yeas—Mr. President, Baker, Bell, Ford, Gaines, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pickett, Pridgen, Rawson, Ruby, Saylor, Swift, Tendick—18.

Nays—Broughton, Cole, Douglas, Evans, Pyle, Shannon—6.

On motion of President Flanagan, the Senate at 4:25 P. M. adjourned to 10 A. M. to-morrow.

FIFTY-SIXTH DAY.

SENATE CHAMBER,
AUSTIN, TEXAS, Tuesday, Nov. 21, 1871. }

Senate met pursuant to adjournment. Senator Parsons presiding. Roll called. No quorum present.

Absent—Senators Gaines, Hall, Mills, Pridgen, Saylor, Tendick and President Flanagan.

Absent, excused—Senators Bowers, Fountain and Latimer.

Senators Gaines, Hall and Pridgen appeared and answered to their names.

Quorum present.

Prayer by the Chaplain.

Pending the reading of the journal of yesterday, Senator Gaines moved to reconsider the vote of yesterday by which the Senate adopted the following amendment to substitute Senate bill No. 456, "An act to make a new apportionment for Representative and Senatorial districts of the State of Texas," viz: Amend section twenty so as to read "That the Nineteenth District shall be composed of the counties of Brazos, Burleson, Milam and Washington, and shall be entitled to elect two Senators and six Representatives."

Senator Hertzberg moved a call of the Senate. Call sustained.

Absent, unexcused—Senators Bell, Broughton, Ford, Pyle and Tendick.

The motion to reconsider was laid over under the rules until there should be a full Senate.

Journal of yesterday was then read and adopted.

[Senator Pettit called to the chair.]

PETITIONS AND MEMORIALS.

By Senator Mills: a petition of W. B. Scates for relief. Read and referred to the Committee on Judiciary.

By Senator Pridgen : a petition of the citizens of San Patricio county in relation to the location of their county seat. Read and referred to the Committee on Counties and County Boundaries.

REPORTS OF STANDING COMMITTEES.

Report of Committee on Enrolled Bills :

COMMITTEE ROOM, }
Austin, Nov. 20, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR: Your Committee on Enrolled Bills have examined and find correctly enrolled Senate bill No. 472, entitled "An act to incorporate the Texas European Steamship and Land Company;" Senate bill No. 441, entitled "An act to amend the twenty-third section of 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870;" Senate bill No. 536, entitled "An act to amend an act entitled 'an act to provide for districting the State of Texas into judicial districts,' approved July 2, 1870;" Senate bill No. 440, entitled "An act to amend the twenty-second section of 'an act to provide for the districting of the State of Texas into judicial districts,' approved July 2, 1870;" Senate bill No. 537, entitled "An act to amend an act entitled 'an act prescribing the times of holding the district courts in the several judicial districts of the State,' approved August 10, 1870," and to-day at 3 o'clock P. M. presented the same to the Governor for his approval.

Respectfully,

B. J. PRIDGEN, Chairman.

Report read and received.

Report of Committee on State Affairs :

COMMITTEE ROOM, }
Austin, Nov. 20, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR: Your Committee on State Affairs, to whom was referred Senate bill No. 566, entitled "An act to authorize and empower the corporate authorities of the town of Palestine to extend the streets and alleys of said town to the exterior limits of the corporation, and to lay out and make new streets and alleys within the limits of said corporation," have carefully considered the same and instruct me to report it back and recommend its passage, with the following amendments, to-wit: Amend section —, line thirteen,

strike out all of said section after the word "exceed," down to and including the words "not to exceed," in line seventeen; insert in line seventeen, after the word "one" and before the words "per centum," in line eighteen, the word "half;" insert in line twenty, after the word "exceed," the words "one half."

Respectfully,

S. W. FORD, Chairman.

Report read and laid over under the rules.

Report of Committee on Contingent Expenses:

COMMITTEE ROOM,
Austin, Nov. 21, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate:

SIR: Your Committee on Contingent Expenses, having had under consideration the following claims, viz:

Austin City Brass Band.....	\$180 00
S. G. Singletary.....	17 50
W. J. Hannig.....	300 00
Nitschke & Bley.....	265 00
George Prowse.....	50 00
William Raatz.....	35 50
G. Duverney.....	16 80
M. M. Long.....	29 50
A. B. Palm (several bills).....	1,351 35
Total.....	\$2,245 65

respectfully ask that the same be allowed.

J. S. MILLS, Chairman.

Report read.

On motion of Senator Mills, the rules were suspended to consider the report.

On further motion, the report was adopted, and the several accounts allowed and ordered paid.

BILLS AND RESOLUTIONS.

By Senator Mills: a bill (Senate bill No. 575) to be entitled "An act for the relief of W. B. Scates." Read first time and referred to the Committee on Judiciary.

By Senator Pickett, on the part of the select committee: a bill (Senate bill No. 576) to be entitled "An act to amend the fifth and thirty-second sections of an act entitled 'an act to give effect to the several provisions of the Constitution concerning taxes,' approved April 22, 1871." Read first time.

11 o'CLOCK A. M.

Pending further action, the hour arrived for the special orders, to-wit: Substitute House bill No. 99, "An act to incorporate the Cleburne and Cross Timber Railway Company," and Senate bill No. 519, "An act to aid the available school fund, in placing on a sound and durable foundation and maintaining a system of public free schools," etc.

On motion of Senator Bell, the special orders were postponed until the matter pending should be disposed of.

Consideration of Senate bill No. 576 resumed.

On motion of Senator Pickett, the rules were suspended and the bill read second time.

Senator Ford offered the following amendment and moved its adoption: Amend section two by striking out the words, "also a poll tax of one dollar upon all persons over twenty-one years of age."

Yeas and nays called for, and amendment lost by the following vote:

Yeas—Baker, Ford, Gaines, Hall, Hillebrand, Mills, Pettit, Rawson, Ruby, Saylor, Tendick—11.

Nays—Mr. President, Bell, Cole, Dillard, Dohoney, Douglas, Evans, Hertzberg, Parsons, Pickett, Pridgen, Pyle, Shannon, Swift—14.

Senator Ford offered the following amendment: Strike the words "from and after its passage," and insert "January 1, 1872."

Yeas and nays called for on adoption and the amendment lost by the following vote:

Yeas—Mr. President, Baker, Ford, Gaines, Rawson, Ruby, Saylor—7.

Nays—Bell, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Shannon, Swift, Tendick—18.

Bill ordered engrossed and passed to a third reading.

Senator Cole moved to suspend the rules to read the bill third time.

Yeas and nays called for and the rules were suspended by the following vote:

Yeas—Mr. President, Bell, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Hall, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Pickett, Pridgen, Pyle, Ruby, Saylor, Shannon, Swift, Tendick—22.

Nays—Baker, Ford, Gaines, Rawson—4.

Bill read third time.

Senator Pickett moved the passage of the bill.

Yeas and nays called for and Senate bill No. 576 passed by the following vote:

Yeas—Mr. President, Bell, Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Gaines, Hall, Hertzberg, Mills, Parsons, Pettit, Pickett, Pridgen, Ruby, Saylor, Shannon, Swift, Tendick—21.

Nays—Baker, Ford, Fountain, Rawson—4.

Senator Broughton introduced a bill (Senate bill No. 577) to be entitled "An act to encourage and aid the Eastern Texas Railroad Company in the speedy construction of their road." Read first time and referred to the Committee on Internal Improvements.

Senator Ruby submitted the following report of the Committee on Engrossed Bills.

COMMITTEE ROOM, }
Austin, Nov. 21, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate:

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed, Senate bill No. 554, "An act amendatory of and supplementary to an act entitled 'An act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean,' passed on the day of May, 1871."

Respectfully,

G. T. RUBY, Chairman.

Report read and received.

A MESSAGE FROM THE GOVERNOR,

By his Private Secretary, Mr. Britton, was announced, as follows:

GOVERNOR'S OFFICE, }
Austin, Nov. 18, 1871. }

To the Honorable Senate and House of Representatives of the State of Texas:

GENTLEMEN: I have the honor to inform you that the following named bills and resolutions have been received by me and approved, to-wit:

House bill No. 78, "An act making an appropriation for repairing and improving the State Cemetery," approved September 22, 1871.

House bill No. 548, "An act to prohibit the sale of intoxicating liquors in the vicinity of Seyene Masonic Male and Female Institute," approved September 22, 1871.

House bill No. 437, "An act to incorporate the town of Sulphur Springs, in Hopkins county," approved September 22, 1871.

House bill No. 689, "An act amendatory of 'an act prescribing the times of holding the district courts in the Seventh Judicial Dis-

trict of the State,' approved March 4, 1871," approved September 22, 1871.

House bill No. 717, "An act to incorporate the Union Club of the city of San Antonio," approved September 28, 1871.

House bill No. 580, "An act for the relief of R. E. Borden, district attorney for the third judicial district," approved September 28, 1871.

Senate bill No. 222, "An act making an appropriation for the mileage and *per diem* pay of the members, and the *per diem* pay of the officers and employees of the Twelfth Legislature of the State of Texas," approved September 28, 1871.

House bill No. 174, "An act to incorporate the Houston Schutzen Verein," approved September 28, 1871.

House bill No. 709, "An act to amend an act entitled 'an act to incorporate the Bank of Cleburne,' approved May 25, 1871," approved September 30, 1871.

House bill No. 699, "An act to amend the third section of an act entitled 'An act to amend 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870, approved March 4, 1871," approved October 4, 1871.

House bill No. 371, "An act to incorporate the Navasota Hebrew Benevolent Society," approved October 4, 1871.

House bill No. 695, "An act to amend an act entitled 'an act to incorporate the city of Brenham and to grant a new charter to said city and to repeal all acts heretofore passed, incorporating said city, which may be in force by virtue of any existing charter,' approved May 6, 1871," approved October 4, 1871.

House bill No. 778, "An act prescribing the times of holding the district courts in the twenty-sixth judicial district," approved October 13, 1871.

House bill No. 763, "An act to prohibit the sale of intoxicating liquors to persons within the scholastic age, in the State of Texas," approved October 13, 1871.

House bill No. 710, "An act to incorporate the Corpus Christi and Rio Grande Railroad Company," approved October 13, 1871.

House bill No. 225, "An act to prohibit the sale of intoxicating liquors within certain limits of the High School at Edom, in Van Zandt county, Texas," approved October 13, 1871.

House bill No. 566, "An act supplementary to an act entitled 'an act to incorporate the Western Narrow Gauge Railway Company, passed August 4, 1870,' approved October 12, 1871."

House bill No. 405, "An act to amend an act prescribing the times of holding the district courts in the several judicial districts in the State," approved October 13, 1871.

House bill No. 733, "An act to incorporate the Edom Academy, in Cook county, Texas," approved October 13, 1871.

House bill No. 723, "An act to amend an act entitled 'an act to prohibit the sale of spirituous, vinous or other intoxicating liquors within five miles of the public square in the town of Alvarado, Johnson county, Texas,' approved November 10, 1866," approved October 13, 1871.

House bill No. 751, "An act to amend an act approved May 2, 1871, entitled 'an act to amend an act entitled an act to incorporate the Galveston City Railroad Company,' approved October 8, 1866," approved October 13, 1871.

House bill No. 777, "An act to amend an act entitled 'an act to provide for districting the State of Texas into judicial districts,' approved July 2, 1870," approved October 13, 1871.

House bill No. 282, "An act to authorize Robert Holmes and others to construct a boom across the Brazos river," approved October 13, 1871.

Senate joint resolution No. 43, "Joint resolution authorizing the appointment of commissioners to run, mark out, and fully define the county lines of San Jacinto county," approved October 13, 1871.

House bill No. 164, "An act to incorporate the town of Pittsburg, in Upshur county," approved October 13, 1871.

House bill No. 716, "An act to amend an act entitled 'an act to incorporate the San Antonio, Victoria, Indianola and New Orleans Express and Transportation Company,' approved May 19, 1871," approved October 13, 1871.

House bill No. 735, "An act supplemental to and amendatory of an act entitled 'an act to incorporate the city of San Antonio, and grant a new charter to said city,' and to repeal an act entitled 'an act to incorporate the city of San Antonio,' approved July 17, 1856, and an act entitled 'an act to amend an act to incorporate the city of San Antonio,' approved February 11, 1860, approved August 13, 1870," approved October 13, 1871.

House bill No. 531, "An act for the relief of George Cox," approved October 18, 1871.

House bill No. 196, "An act to incorporate the officers and members of the Fort Worth Masonic Institute No. 148, A. F. and A. Masons, at Fort Worth, Tarrant county, Texas," approved October 18, 1871.

Senate bill No. 486, "An act making an appropriation to defray the contingent and printing expenses of the Twelfth Legislature," approved October 18, 1871.

House bill No. 393, "An act to amend section two of an act entitled 'an act defining lawful enclosures, and for other purposes,' approved March 16, 1840," approved October 18, 1871.

House bill No. 638, "An act to incorporate the Texas Stock-raising Company," approved October 18, 1871.

House bill No. 29, "An act to amend an act entitled 'an act to adopt and establish a penal code for the State of Texas,' approved August 26, A. D. 1856," approved October 18, 1871.

House bill No. 173, "An act to incorporate the Indianola Colored Benevolent Society," approved October 18, 1871.

Senate bill No. 148, "An act regulating the removal of the disabilities of minors," approved October 24, 1871.

Senate bill No. 369, "An act to facilitate the correcting of surveys and the issuance of patents to locations of land," approved October 24, 1871.

Senate bill No. 467, "An act to affirm the titles to certain lands in Peters's colony," approved October 24, 1871.

Senate bill No. 468, "An act authorizing the County Court of Marion county to have certain records from other counties transcribed and recorded in said county," approved October 24, 1871.

Senate bill No. 498, "An act amending 'an act prescribing the times of holding the district courts in the several judicial districts in the State,' approved August 10, 1870," approved October 24, 1871.

House bill No. 549, "An act to incorporate Scyene Male and Female Institute," approved October 24, 1871.

House bill No. 696, "An act to regulate the time of holding courts in the Eleventh Judicial District," approved October 24, 1871.

House bill No. 746, "An act to incorporate the Texas Land and Immigration Company," approved October 24, 1871.

House bill No. 28, "An act to amend an act entitled 'an act to adopt and establish a penal code for the State of Texas,' approved August 26, 1856," approved October 26, 1871.

House bill No. 63, "An act to incorporate the Mutual Aid Society of the city of Houston," approved October 28, 1871.

House bill No. 298, "An act to incorporate the Germania Club of Brenham," approved October 28, 1871.

House bill No. 320, "An act to enforce section twenty-one, article one of the Constitution," approved October 28, 1871.

House bill No. 750, "An act to incorporate the town of Lockhart, in Caldwell county," approved October 28, 1871.

House bill No. 724, "An act authorizing and requiring the Surveyor of Dallas county to transcribe certain records of his office, and to make a general index," approved November 1, 1871.

Senate bill No. 178, "An act to repeal an act approved August

10, 1871, entitled 'an act to amend an act to incorporate Herman's University, approved January 27, 1844, as amended by an act passed April 11, 1846,' " approved November 1, 1871.

Senate bill No. 504, "An act to provide for appeals from interlocutory judgments in the district courts of the State," approved November 1, 1871.

Senate bill No. 525, "An act supplemental to an act entitled 'an act to amend an act entitled an act to incorporate the Bank of Cleburne,' approved September 30, 1871," approved November 4, 1871.

Senate bill No. 374, "An act to amend the Penal Code for the State of Texas," approved November 6, 1871.

Senate bill No. 475, "An act to amend the third section of 'an act to incorporate the Carthage Branch Railway Company,' approved May 22, 1871," approved November 6, 1871.

Senate bill No. 492, "An act to amend 'an act prescribing the mode of proceeding in the district courts in matters of probate,' approved August 15, 1870," approved November 6, 1871.

House bill No. 10, "An act to provide for transcribing the surveyors' records," approved November 6, 1871.

House bill No. 79, "An act to provide for transcribing the land records of San Saba county," approved November 6, 1871.

House bill No. 407, "An act to enable the Comptroller of Public Accounts to settle with defaulting revenue officers," approved November 6, 1871.

House bill No. 713, "An act to incorporate the Buffalo Warehouse and Compress Company," approved November 6, 1871.

House bill No. 775, "An act to confirm and make valid the acts of the District Court of Collin county, begun and held at the town of McKinney, on the first Monday in July, 1871," approved November 6, 1871.

Senate bill No. 339, "An act making an appropriation to defray the printing and contingent expenses of the Twelfth Legislature," approved November 10, 1871.

Senate bill No. 454, "An act to incorporate the Rockport, Fulton, Laredo and Mexican Pacific Railroad Company," approved November 11, 1871.

House bill No. 9, "An act to incorporate the McKinney Academy Association," approved November 13, 1871.

House bill No. 57, "An act to incorporate the Philosophonian Society of Trinity University," approved November 13, 1871.

House bill No. 121, "An act to amend an act entitled 'an act to provide for the organization of the State Lunatic Asylum, and for the care and maintenance of the insane,' approved February 5, 1858," approved November 13, 1871.

House bill No. 776, "An act supplementary to 'an act to provide for the payment of the public debt of the State of Texas,' approved May 2, 1871," approved November 13, 1871.

House bill No. 90, "An act to incorporate the Lake City Cotton and Wool Manufacturing Company," approved November 16, 1871.

House bill No. 213, "An act to incorporate the Benevolent Association of Austin," approved November 16, 1871.

Respectfully,

EDMUND J. DAVIS, Governor.

UNFINISHED BUSINESS.

The motion of Senator Gaines to reconsider the vote of yesterday, by which the Senate ordered the engrossment of substitute Senate bill No. 456.

On motion of Senator Gaines, the vote was reconsidered.

On motion of Senator Gaines, the vote of yesterday, by which the Senate adopted an amendment to substitute Senate bill No. 456 was reconsidered, and by consent of the Senate the amendment was withdrawn.

The question being upon the engrossment of the bill, Senator Gaines moved a call of the Senate. Call sustained.

Absent, unexcused—Senators Mills, Ruby and Shannon.

Substitute Senate bill No. 456 laid over under the rules until the Senate should be full.

Senator Douglas moved to adjourn until 10 A. M. to-morrow. Lost.

Senator Hall moved to adjourn until 3 P. M. Lost.

Senator Pyle moved to suspend the rules to take from file House bill No. 492, "An act to authorize W. H. McVey to erect a toll bridge over Red Oak creek in Ellis county, on the road leading from Lancaster, in Dallas county, to Chatfield Point and Corsicana in Navarro county." Read second time and passed to a third reading.

On motion of Senator Pyle, the rules were further suspended and House bill No. 492, was read third time and passed.

Senator Tendick asked leave of the Senate to withdraw from the hands of the Committee on Public Lands, House bill No. 706, "An act for the relief of Pedro Hernandez." There being no objections leave was granted.

House bill No. 706 was then referred to the Committee on Private Land Claims.

Senator Dohoney moved to adjourn to 3 o'clock P. M.

Yeas and nays called for, and the Senate refused to adjourn by the following vote:

Yeas—Broughton, Dillard, Douglas, Evans, Pettit, Pickett, Rawson—7.

Nays—Mr. President, Baker, Bell, Cole, Dohoney, Ford, Gaines, Hertzberg, Hillebrand, Mills, Pridgen, Pyle, Ruby, Saylor, Shannon, Swift, Tendick—17.

Message from the House by the Chief Clerk, Mr. Gallant, transmitting for concurrence the following House bills: House bill No. 788, "An act amendatory of an act entitled 'an act to organize the courts of justices of the peace and county courts, and to define their jurisdiction and duties,' approved August 13, 1870;" House bill No. 936, "An act to regulate the practice in the Supreme Court;" House bill No. 940, "An act to authorize a special term of the District Court within and for the county of Houston, Third Judicial District, State of Texas."

Also, informing the Senate that the House agrees to the Senate's amendment to House bill No. 171, to be entitled "An act to incorporate the Hebrew Benevolent Society in Brownsville, Cameron county, Texas," viz: strike out "Matamoras" wherever it occurs.

And also agrees to the Senate amendments to House bill No. 767, "An act for the relief of Col. Thomas William Ward."

And disagrees to the Senate amendment to House bill 177, "An act to amend an act entitled 'an act to provide for the mode and manner of conducting elections, making returns and for the protection and purity of the ballot box,' approved August 15, 1870," to-wit: Amend in section one—Strike out the words "first Tuesday in August," and insert the "third Tuesday in March;" and the House has appointed as a committee of conference, upon House bill No. 177, a committee of five, consisting of Messrs. Booty, Plumley, George, Stockbridge and Lane, to confer with a like committee of three on the part of the Senate.

The Senate being full, the consideration of substitute Senate bill No. 456 was resumed.

The question being on the engrossment of the bill, Senator Dillard offered the following amendment: Amend section four by striking out "Trinity" from third district and placing it in fourth district.

Senator Broughton moved that the Senate stand adjourned to 10 A. M. to-morrow.

Yeas and nays called for and motion lost by the following vote:

Yeas—Mr. President, Broughton, Cole, Dillard, Dohoney, Evans, Hall, Parsons, Pyle, Rawson, Swift—11.

Nays—Baker, Bell, Douglas, Ford, Gaines, Hertzberg, Hillebrand, Mills, Pettit, Pridgen, Ruby, Saylor, Shannon, Tendick—14.

Question being on the adoption of the amendment offered by Senator Dillard, yeas and nays called for and the motion to adopt lost by the following vote:

Yeas—Broughton, Cole, Dillard, Dohoney, Douglas, Evans, Pickett, Pridgen, Pyle, Shannon, Swift—11.

Nays—Mr. President, Baker, Bell, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Rawson, Ruby, Saylor, Tendick—14.

Senator Dillard moved to postpone the further consideration of the bill and that it be made the special order for to-morrow at 12 o'clock M.

Senator Douglas moved a call of the Senate. Call sustained.

Absent—Senator Hall,

Absent, excused—Senators Bowers, Fountain and Latimer.

Senator Evans moved that the Senate stand adjourned to 3 o'clock P. M.

Yeas and nays called for and motion to adjourn carried by the following vote:

Yeas—Bowers, Broughton, Cole, Dillard, Douglas, Evans, Hall, Parsons, Pickett, Pridgen, Pyle, Rawson, Shannon, Swift—14.

Nays—Mr. President, Baker, Bell, Dohoney, Ford, Gaines, Hertzberg, Hillebrand, Mills, Pettit, Ruby, Saylor, Tendick—13.

So the Senate at 12:15 P. M. adjourned to 3 P. M.

AFTERNOON SESSION.

3 o'CLOCK P. M.

Senate met pursuant to adjournment. President Flanagan presiding. Roll called. No quorum present.

Absent—Senators Dillard, Mills, Parsons, Pettit, Pickett, Pridgen, Rawson, Ruby and Saylor.

Absent, excused—Senators Bowers, Fountain and Latimer.

[Senator Ford called to the chair.]

Senators Dillard, Pettit, Pickett, Pridgen, Rawson, Ruby and Saylor appeared and answered to their names.

Quorum present.

On motion of Senator Pickett the rules were suspended to take from file House bill No. 817, "An act authorizing and requiring the Commissioner of the General Land Office to issue patent upon certificate No. 169 to the heirs or assignees of John Pate." Read first time and passed to a second reading.

On motion of Senator Pridgen the rules were further suspended and the bill read second time and passed to a third reading.

On motion of Senator Pridgen the rules were further suspended and House bill No. 817 read third time and passed by the following vote :

Yeas—Baker, Bell, Broughton, Cole, Evans, Ford, Gaines, Hall, Hertzberg, Hillebrand, Pettit, Pickett, Pridgen, Pyle, Rawson, Ruby, Swift, Tendick—18.

Nays—Mr. President, Douglas, Shannon—3.

On motion of Senator Pridgen, the rules were suspended to take from file House bill No. 840, "An act to incorporate the Casino Society of Yorktown." Read second time and passed to a third reading.

On motion of Senator Pridgen, the rules were further suspended and House bill No. 840 read third time and passed.

By leave of the Senate, Senator Pettit submitted the following report of the Committee on Education :

COMMITTEE ROOM, }
Austin, Nov. 21, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR : Your Committee on Education, to whom was referred Senate bill No. 573, to be entitled "An act to prohibit the sale of ardent spirits and other intoxicating liquors within certain limits of Thorp's Springs Male and Female Seminary, in Hood county," beg leave to report back the accompanying substitute and respectfully recommend its passage.

E. PETTIT, Chairman.

Report read and laid over under the rules.

On motion of Senator Pyle, the rules were suspended to take from file House bill No. 114, "An act to incorporate the Jefferson City Street Railway Company."

On motion of Senator Ruby, the Senate adhered to its amendments to the bill.

Senator Pyle moved that a conference committee be appointed to confer with a like committee on the part of the House upon said amendments. Carried.

On motion of Senator Rawson, the rules were suspended to take from file Senate bill No. 572, to be entitled "An act for the relief of Luke A. Falvel." Read second time, ordered engrossed and passed to a third reading.

On motion of Senator Ruby, the rules were further suspended, and Senate bill No. 572 read third time and passed by the following vote :

Yeas—Mr. President, Baker, Bell, Cole, Ford, Gaines, Hall, Hertzberg, Hillebrand, Parsons, Pettit, Pickett, Pyle, Rawson, Ruby, Saylor, Swift, Tendick—18.

Nays—Evans, Shannon—2.

Senator Ruby submitted the following report of the Committee on Engrossed Bills :

COMMITTEE ROOM, }
Austin, Nov. 21, 1871. }

Hon. WEBSTER FLANAGAN,

President of the Senate :

SIR: Your Committee on Engrossed Bills have examined and find correctly engrossed the following Senate bills, to-wit: Senate bill No. 436, "An act making a new apportionment for Representative and Senatorial Districts of the State of Texas;" Senate bill No. 490, "An act to incorporate the Mechanics' Building Association, of Jefferson, Texas;" Senate bill No. 534, "An act for the relief of Ezekiel W. Cullen;" Senate bill No. 535, "An act to amend section eight of an act to amend sections one, two, three, five, six, eleven, twelve, thirteen, fifteen, nineteen and twenty of 'an act to incorporate the Waco Tap Railroad Company;'" Senate bill No. 574, "An act entitled 'an act to consolidate in *one* act and amend the several acts incorporating the city of Houston, in Harris county,' approved August 2, 1870;" Senate bill No. 562, "An act to incorporate the North Texas Land Company."

Respectfully,

G. T. RUBY, Chairman.

Report read and received.

On motion of Senator Ruby, the rules were suspended to take from file Senate bill No. 554, "An act amendatory and supplementary to an act entitled 'an act to encourage the speedy construction of a railway through the State of Texas to the Pacific Ocean,' passed on the day of May, 1871." Read third time.

Senator Evans offered the following amendments, which were adopted: Amend section one, line forty, by striking out all after the word "be," up to and including the word "Washington," and insert, "within three miles of the junction of the West Fork and Clear Fork of the Trinity river, and on the south side of said rivers." Also, amend line fifty-three of said section by inserting after the word "practicable," "crossing the Central Railroad within one mile of Browder's Springs."

Senator Dohoney offered the following amendment and moved its adoption: Amend section two, in line nine, by striking out the word "twenty-five," and inserting in lieu thereof the word "fifty." Also, same section, in lines eighteen and twenty-four, by striking

out the word "twenty-five" and inserting in each place the word "fifty."

Senator Parsons moved to lay the amendments on the table.

Yeas and nays called for, and motion to lay on the table carried by the following vote:

Yeas—Mr. President, Baker, Bell, Cole, Ford, Gaines, Hall, Parsons, Pridgen, Pyle, Rawson, Ruby—12

Nays—Broughton, Dohoney, Evans, Hertzberg, Hillebrand, Pettit, Pickett, Shannon, Swift, Tendick—10.

Senator Flanagan moved a call of the Senate. Call sustained.

Absent—Senators Dillard, Mills and Saylor.

Absent, excused—Senators Bowers, Fountain and Latimer.

Senator Parsons moved to postpone the further consideration of Senate bill No. 554 until 3 P. M. to-morrow.

Yeas and nays called for and the motion to postpone carried by the following vote:

Yeas—Baker, Bell, Cole, Dohoney, Evans, Ford, Hall, Hertzberg, Parsons, Pettit, Pridgen, Pyle, Rawson, Saylor, Shannon, Swift, Tendick—17.

Nays—Mr. President, Broughton, Douglas, Gaines, Hillebrand, Mills, Pickett, Ruby—8.

Senator Flanagan moved to adjourn until 10 o'clock A. M. to-morrow.

Yeas and nays called for, and the Senate refused to adjourn by the following vote:

Yeas—Mr. President, Baker, Broughton, Douglas, Gaines, Hall, Pickett, Pridgen, Pyle, Rawson, Swift—11.

Nays—Bell, Dohoney, Evans, Ford, Hertzberg, Hillebrand, Mills, Parsons, Pettit, Ruby, Saylor, Shannon, Tendick—13.

On motion of Senator Cole the call of the Senate was suspended.

On motion of Senator Saylor the rules were suspended to take from file Senate bill No. 519, "An act to aid the available school fund in placing on a sound and durable foundation, and maintaining a system of public free schools," etc. Read third time.

Senator Broughton moved that the Senate stand adjourned to 10 o'clock A. M. to-morrow.

Yeas and nays called for, and motion to adjourn carried by the following vote:

Yeas—Mr. President, Broughton, Cole, Dohoney, Douglas, Evans, Hall, Pettit, Pickett, Pridgen, Rawson, Shannon—12.

Nays—Baker, Bell, Ford, Gaines, Hertzberg, Hillebrand, Mills, Parsons, Ruby, Saylor, Swift, Tendick—12.

So the Senate at 4 o'clock P. M. adjourned to 10 o'clock A. M. to-morrow.